

REMARKS/ARGUMENTS

As an initial matter, Applicants request that the Examiner send confirmation of the consideration of the references cited in the Information Disclosure Statements filed by Applicants on July 27, 2001, October 24, 2003, April 8, 2004, and November 23, 2004.

Claims 38-43, 45-50, 54-56, 58, 59, and 62-72 have been examined. Applicants note with appreciation the allowance of claims 38-41, 45-49, 50, 54, 58, and 59. Applicants request the status of dependent claim 56 as it was not addressed in the present Office Action. It is believed that claim 56 should be in condition for allowance as it depends upon allowable independent claim 54. Claims 42, 43, and 55 have been amended. Reconsideration and re-examination of remaining claims 42, 43, 55, and 62-72 is respectfully requested.

Rejections Under 35 U.S.C. § 112

Claims 42, 43, 55, and 62-72 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicants have amended independent claim 55 and dependent claims 42 and 43 so as to clearly recite the combination release of methylprednisolone and mizoribine. As such, Applicants respectfully request the removal of the 35 U.S.C. § 112 rejection and allowance of independent claim 55 and dependent claims 42, 43, and 62-72 as this is the sole issue remaining in this case.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 09/782,804
Amdt. dated August 15, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 3738

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nena Bains', with a stylized, flowing script.

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